

Appl. No. 10/707,152

Amd. Dated October 14, 2005

Reply to Office Action Dated June 8, 2005

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. P1 and 16A. These sheets, which includes Figs. P1, 16A, 16B, 17A and 17B, replaces the original sheets including Fig. P1, 16A, 16B, 17A and 17B. In Fig. P1, reference number 131 has been removed. In Fig. 16A, duplicate reference number 44 has been changed to reference number 41.

Attachment: Replacement Sheet 1/8, 7/8

Annotated Sheet Showing Changes 1/8, 7/8

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Attachment: Replacement Sheet 1/8, 7/8

Annotated Sheet Showing Changes 1/8, 7/8

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REMARKS/ARGUMENTS

Please reconsider the application in view of the above amendments and the following remarks. Claims 1-87 remain in this application.

Applicant notes with appreciation that the Examiner has allowed claims 20-83 and 85-87. The Examiner further indicated that claims 5-9 and 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claim. For reasons stated below, Applicant believes that the base claims from which these claims depend are allowable and that there is no need to rewrite these claims in independent forms. Accordingly, Applicant respectfully defers rewriting the claims at this time.

Drawings/Specification

Applicant has detected certain errors in the specification and drawings and has submitted amendments herein to correct these errors. In the drawings, Applicant has removed reference number 131 of Fig. P1, and replaced duplicate reference number 44 with 41 in Fig. 16A to conform to Fig. 16B.

In the specification, Applicant has amended paragraphs [0079], [0082], [0083], [0093] and [0094] to correct an error that appears to have occurred in the conversion to Passat during electronic filing. Each of the reference numerals with a prime (') notation was altered to a double prime (") during conversion. Applicant seeks to correct the numerals and their notations to conform to the corresponding drawings.

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Applicant has also corrected typographical errors in the abstract and paragraph [0010]. Applicant has also added text in paragraph [0076] to describe what is shown in Figures 7C, 8, 9, 10A and 10B. Support for this addition is provided in paragraphs [0047] – [0051], paragraphs [0029] – [0036] and Figures 7C, 8, 9, 10A and 10B.

It is respectfully submitted that these amendments contain new matter. Entry of these amendments is respectfully requested.

Rejection(s) under 35 U.S.C § 102

Claims 1-4, 10, 11, 13, 14, 19 and 84 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Ciglenec EP0978630. Claims 1-4, 10-14, 19 and 84 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ciglenec (2004/0160858). These rejections are respectfully traversed.

Claims 1 and 84 recite *inter alia* a tubular body with one ore more protuberances along an axial portion thereof defining an expanded axial portion and a probe at or near a first location within the expanded axial portion of the body where the cross-sectional area of the expanded axial portion is a minimum. See, e.g., *Application, Fig. 1-4*. As described in the Specification, in order to reduce the velocity effects when the tool is operated and fluids are circulated in the wellbore, it is desirable to increase the flowline area in the annulus, thus reducing fluid velocity near the probe. See, *Specification, paragraph [0011]*. As further described in the Specification, the cross-section of the apparatus in the protective section is preferably kept to a minimum (see, e.g., FIG. 4), resulting in a larger flowing area in the annulus and thus reducing fluid velocity near the probe 22. See, *Specification, paragraph [0071]*. No such features are provided by the cited art.

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There is no disclosure in either Ciglenec reference of the problem of fluid flow in the wellbore or velocity effects. There is also no disclosure of the solution of placing the a probe at or near a first location within the expanded axial portion of the body where the cross-sectional area of the expanded axial portion is a minimum.

The Examiner suggests that the Ciglenec references disclose each of the limitations of the rejected claims. The rejection indicates that the references disclose certain features of the claims. However, the Examiner fails to indicate that there is anything in the cited references which teaches, discloses or even suggests placing the a probe at or near a first location within the expanded axial portion of the body where the cross-sectional area of the expanded axial portion is a minimum as recited in the claims. Absent some disclosure in the cited references of each limitation of the claims, such as this limitation concerning the probe position, the references fail to support a rejection under 35 U.S.C. § 102. Moreover, there is no suggestion in the references to support a finding of obviousness under 35 U.S.C. § 103.

For at least these reasons, Applicant submits that the claims demonstrate novelty and non-obviousness over the cited art. Applicant, therefore, respectfully requests withdrawal of the rejection of the rejected claims.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the telephone number listed below.

This paper is submitted in response to the Office Action dated March 18, 2004 for which the three-month date for response is September 8, 2005. A request for a two (2) month extension

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of the time to respond to the Official Action is hereby made, bringing the date for response to November 8, 2005. Please apply any charges not covered, such as the two month extension fee of \$450.00, or any credits, to Deposit Account 19-0610 (Reference Number 24.0934).

Date:

10/14/05

Respectfully submitted,

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Attachments – Appendix

VERSION WITH MARKINGS TO SHOW CHANGES MADE

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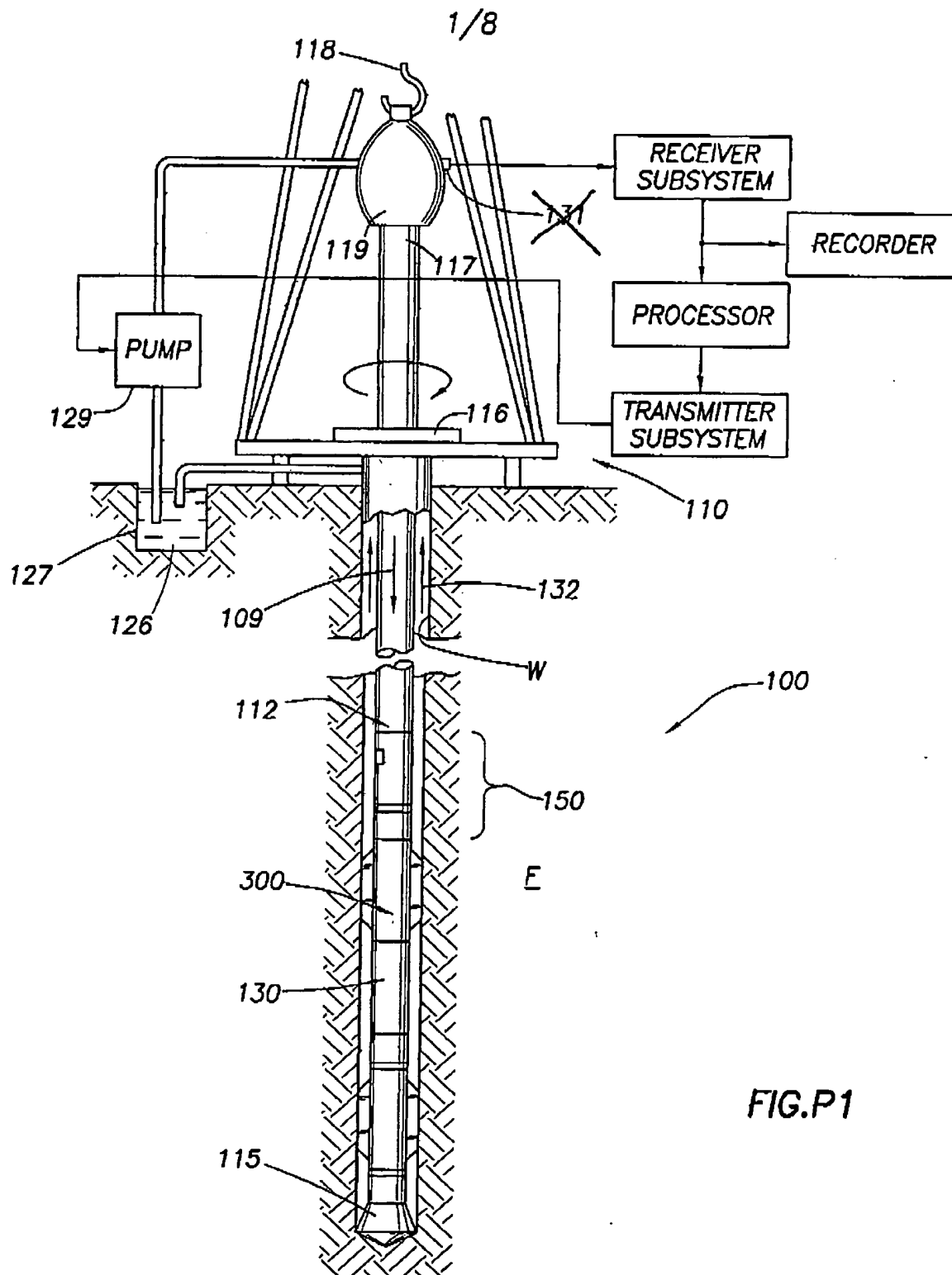


FIG. P1

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

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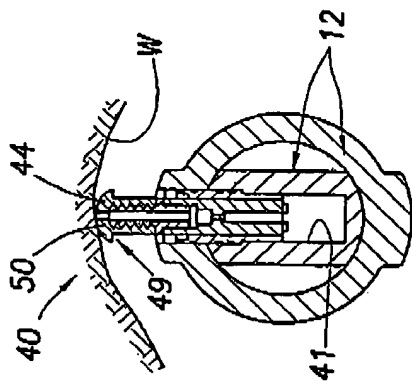


FIG. 16B

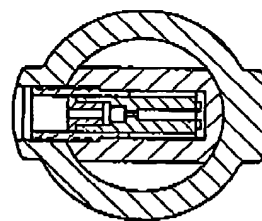


FIG. 17B

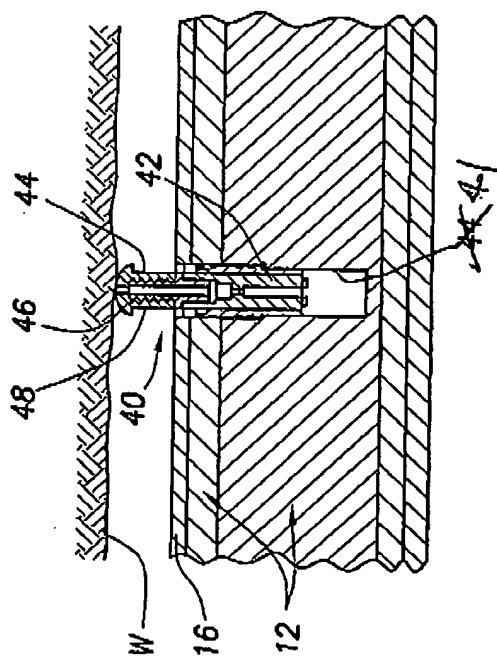


FIG. 16A

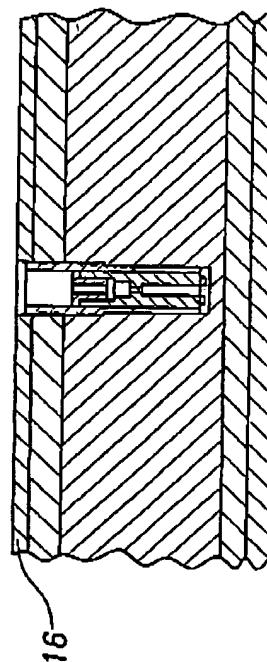


FIG. 17A

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